
Rules of
Department of Economic Development
Division 205—Missouri Board of Occupational Therapy
Chapter 1—General Rules

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**Title 4—DEPARTMENT OF
ECONOMIC DEVELOPMENT
Division 205—Missouri Board of
Occupational Therapy
Chapter 1—General Rules**

4 CSR 205-1.010 Definitions

PURPOSE: This rule defines terms used in 4 CSR 205.

(1) Applicant—an individual submitting an application in the licensure process or for a limited permit.

(2) Limited permit—a permit that authorizes an individual who has provided proof of eligibility to sit for his/her first available examination by the certifying entity to practice occupational therapy under the supervision of an occupational therapist. The limited permit is only valid until the results of the individual's second available examination are received by the board or if the individual successfully completed said examination with a passing score, for an additional sixty (60) days.

(3) Limited permit holder—an individual that has been issued a limited permit by the board to practice occupational therapy under the supervision of an occupational therapist.

(4) Patient/client—any individual, couple, family, group, organization or community for whom the practice of occupational therapy, as defined in section 324.050(6), RSMo, is provided.

AUTHORITY: sections 324.050, 324.056, 324.065, 324.068, 324.077 and 324.080, RSMo Supp. 1997. Original rule filed Aug. 4, 1998, effective Dec. 30, 1998.*

**Original authority 1997.*

**4 CSR 205-1.020 Board Information—
General Organization**

PURPOSE: This rule describes the organization and general method of administration and communication concerning the Missouri Board of Occupational Therapy.

(1) The division, in collaboration with the board, will regulate the practice of occupational therapy concerning the health, safety and welfare of the inhabitants of this state; protect the inhabitants of this state from harm through the dangerous, dishonest, incompetent, or the unlawful practice of occupational therapy; and implement and sustain a system for the regulation of occupational therapists,

occupational therapy assistants, and limited permit holders.

(2) The board shall meet at least four (4) times per year and as frequently as the chairperson, board, or division requires. Annually, the board shall elect a chairperson and vice chairperson by a majority of board member votes and in the absence of the chairperson the vice-chairperson shall preside. All notices of meetings shall be posted in compliance with Chapter 610, RSMo.

(3) The director of the division or a designated representative of the division shall be responsible for keeping the minutes of board proceedings and perform other duties as requested by the division or board.

(4) Board meetings will generally consist of establishing requirements for issuance and renewal of licenses; reviewing applications; interviewing applicants; investigating complaints and inquiries; reviewing and approving continuing competency requirements; and determining disciplinary actions regarding licensed occupational therapists, occupational therapy assistants, or limited permit holders.

(5) Unless otherwise provided by the statutes or regulations, all meetings of the board shall be conducted according to *Robert's Rules of Order*, Revised, 1981.

AUTHORITY: sections 324.050, 324.056, 324.063, 324.065, 324.068, 324.083 and 324.086, RSMo Supp. 1997. Original rule filed Aug. 4, 1998, effective Dec. 30, 1998.*

**Original authority 1997.*

4 CSR 205-1.030 Policy for Release of Public Records

PURPOSE: This rule establishes the policy in compliance with sections 610.010–610.030, RSMo, regarding the release of information on any meeting, record or vote of the committee.

(1) The Missouri Board of Occupational Therapy is a public governmental body as defined in Chapter 610, RSMo, and adopts the following as its policy for compliance with the provisions of that chapter. This policy is open to public inspection and implements Chapter 610, RSMo, provisions regarding the release of information of any meeting, record, or vote of the board which is not closed under this chapter or any other state statute or federal regulation.

(2) All public records of the board shall be open for inspection and copying by any member of the general public during normal business hours except for those records closed under sections 610.021 or 620.010.14(7), RSMo, or any other federal or state statute or regulation that requires the records to remain closed. All public meetings of the board not closed under the aforementioned sections of this rule or applicable sections of state or federal laws or rules will be open to the public.

(3) The director of the division or a designated representative of the division shall be the custodian of records as required by section 610.023, RSMo. The division is responsible for maintaining board records and responding to requests for access to public records.

(4) The division may charge a reasonable fee for the cost of researching, inspecting and copying the records. The division may require payment of fees prior to making copies and the fee for copying records shall not exceed the actual cost of the document search and duplication. All fees collected shall be remitted to the director of revenue for deposit to the credit of the Missouri Board of Occupational Therapy Fund.

(5) If the custodian believes that requested access is not required under Chapter 610, RSMo the custodian shall consult with the Office of the Attorney General before deciding whether to deny access to the records. If contact with that office is not practical or is impossible, the custodian may decide whether to deny access. However, in that case, the custodian shall consult with the Office of the Attorney General within five (5) working days of the decision. When access is denied, the custodian will comply with the requirements in section 610.023, RSMo, concerning informing the individual requesting access to the records and shall supply to members of the board copies of the written denial.

(6) The custodian shall maintain a file of copies of all written requests for access to records and responses to the requests. That file shall be maintained as a public record of the board for inspection by any member of the general public during regular business hours.

AUTHORITY: sections 324.065, RSMo Supp. 1997 and 610.010–610.200, RSMo 1994 and Supp. 1997. Original rule filed Aug. 4, 1998, effective Dec. 30 1998.*

**Original authority: 324.065, RSMo 1997 and 610.010–610.200 see Revised Statutes of Missouri 1994 and Supp. 1997.*



4 CSR 205-1.040 Complaint Handling and Disposition

PURPOSE: This rule establishes a procedure for the receipt, handling and disposition of public complaints pursuant to section 620.010.15(6), RSMo Supp. 1997.

(1) The division, in collaboration with the board, will receive and process each complaint made against any licensed occupational therapist, occupational therapy assistant, limited permit holder, individual or entity in which the complaint alleges certain acts or practices may constitute one (1) or more violations of provisions of sections 324.050–324.089, RSMo Supp. 1997, or the administrative rules. No member of the Missouri Board of Occupational Therapy may file a complaint with the division or board while holding that office, unless that member is excused from further board deliberations or activities concerning the matters alleged within that complaint. Any division staff member or the board may file a complaint pursuant to this rule in the same manner as any member of the public.

(2) Written complaints shall be submitted to the Missouri Board of Occupational Therapy. Complaints may be based upon personal knowledge, or upon information and belief, reciting information received from other sources.

(3) All complaints shall be made in writing and shall fully identify the complainant by name and address. Verbal or telephone communication will not be considered or processed as complaints; however, the person making such communication will be asked to supplement the communication with a written complaint.

(4) Each complaint received under this rule will be logged and maintained by the board. The log will contain a record of each complainant's name; the name and address of the subject(s) of the complaint; the date each complaint is received by the board; a brief statement concerning the alleged acts or practices; a notation indicating the complaint was dismissed by the board or a disciplinary action was filed with the Administrative Hearing Commission; and the ultimate disposition of the complaint. This log shall be a closed record of the board.

(5) Each complaint received under this rule shall be acknowledged in writing within thirty (30) days. The complainant and licensee or limited permit holder shall be notified of the ultimate disposition of the complaint.

(6) This rule shall not be deemed to limit the board's authority to file a complaint with the Administrative Hearing Commission charging the board's licensee or limited permit holder with any actionable conduct or violation, whether or not such a complaint exceeds the scope of the acts charged in a preliminary public complaint filed with the board.

(7) The division interprets this rule, which is required by law, to exist for the benefit of those members of the public who submit complaints to the board. This rule is not deemed to protect, or inure to the benefit of those licensees, limited permit holders, or other persons against whom the board has instituted or may institute administrative or judicial proceedings concerning possible violations of the provisions of Chapter 324, RSMo Supp. 1997.

AUTHORITY: sections 324.050, 324.065, 324.068, 324.083, 324.086 and 620.010.15(6), RSMo Supp. 1997. Original rule filed Aug. 4, 1998, effective Dec. 30, 1998.*

**Original authority: 324.050, 324.065, 324.068, 324.083 and 324.086, RSMo 1997 and 610.010.15(6) RSMo 1973, amended 1977, 1978, 1982, 1987, 1993.*

4 CSR 205-1.050 Fees

PURPOSE: This rule establishes the fees for the Division of Professional Registration and the Missouri Board of Occupational Therapy.

(1) The Division of Professional Registration establishes the following fees which are non-refundable:

- (A) Application for Licensure as an Occupational Therapist Fee \$150.00
- (B) Application for Licensure as an Occupational Therapy Assistant Fee \$100.00
- (C) Application for Limited Permit Fee \$ 50.00
- (D) Biennial Occupational Therapist License Renewal Fee \$150.00
- (E) Biennial Occupational Therapy Assistant License Renewal Fee \$100.00
- (F) Late Renewal Penalty Fee \$ 50.00
- (G) Biennial Inactive Occupational Therapist License Renewal Fee \$ 30.00
- (H) Biennial Inactive Occupational Therapy Assistant License Renewal Fee \$ 25.00
- (I) Endorsement Verification to Another Jurisdiction Fee \$ 10.00
- (J) Duplicate License/Limited Permit Fee \$ 10.00

- (K) Replacement Wall-Hanging Fee \$ 15.00
- (L) Photocopy Fee (per page) \$ 0.25
- (M) Insufficient Funds Check Fee Charge \$ 25.00
- (N) Research Fee (per hour not to exceed actual cost) \$10.00.

AUTHORITY: sections 324.065, 324.068 and 324.074, RSMo Supp. 1997 and 610.026, RSMo 1994. Original rule filed Aug. 4, 1998, effective Dec. 30, 1998.*

**Original authority: 324.065, 324.065 and 324.074, RSMo 1997 and 610.026, RSMo 1987.*

4 CSR 205-1.060 Name and Address Changes

PURPOSE: This rule outlines the requirements and procedures for notifying the board of a name and/or address change.

(1) A licensed occupational therapist, occupational therapy assistant or a limited permit holder shall ensure the board has the current legal name and address of the licensee or limited permit holder.

(2) A licensed occupational therapist, occupational therapy assistant or limited permit holder whose name is changed by marriage or court order shall notify the board within thirty (30) days of the name change and provide a copy of the appropriate document verifying the name change.

(3) A licensed occupational therapist, occupational therapy assistant or limited permit holder whose address has changed shall inform the board in writing of the address change within thirty (30) days of the effective date of the change.

AUTHORITY: sections 324.065, 324.083 and 324.086, RSMo Supp. 1997. Original rule filed Aug. 4, 1998, effective Dec. 30, 1998.*

**Original authority 1997.*